



State of New Jersey

ELECTION LAW ENFORCEMENT COMMISSION

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June 15, 1981

William D. Fick  
Lawrence Township Republican Club  
20 Balsam Court  
Lawrenceville, NJ 08648

ADVISORY OPINION NO. 24-1981

Dear Mr. Fick:

I am writing in response to your letter of May 4, 1981 requesting an advisory opinion from the Commission. You have asked under what circumstances the Lawrence Township Republican Club, an entity with Annual Report (Form R-1) reporting requirements pursuant to N.J.S.A. 19:44A-8 would acquire campaign reporting obligations pursuant to N.J.S.A. 19:44A-16.

You have listed several specific fact situations, and the Commission hereby responds as follows:

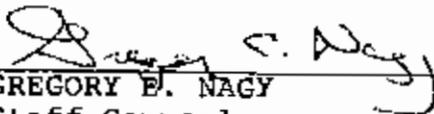
1. The inclusion of campaign literature paid for by a campaign committee in a regular mailing of the Club to its members only is not in itself an expenditure on behalf of a candidate within the meaning of N.J.S.A. 19:44A-3(d) and therefore does not require campaign reporting.
2. Payment by the Club of additional mailing costs because of the inclusion of campaign literature is an expenditure on behalf of candidates and therefore would require campaign reporting pursuant to N.J.S.A. 19:44A-8 and 19:44A-16. If no additional mail cost is incurred, or if that additional cost is assumed by the campaign committee, the Club has not made an expenditure requiring campaign reporting.
3. Permitting a campaign committee to use office equipment belonging to the Club without charging that committee is a campaign expenditure and in-kind contribution to that committee and would require reporting by the Club.

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4. and 5. The mere fact that the monthly Club newsletter, if circulated exclusively to Club members, urges members to vote for certain candidates, or allows only certain candidates to comment, or gives biographical data on only certain candidates would not in itself require campaign reporting. However, the expenditure for the monthly newsletter would of course be included in the Annual Report filed by the Club.

Very truly yours,

ELECTION LAW ENFORCEMENT COMMISSION

By:   
GREGORY E. NAGY  
Staff Counsel

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